

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TERRY SIMERSON,)	
)	
Plaintiff,)	
)	
v.)	1:22CV419
)	
JONATHAN TODD, et al.,)	
)	
Defendants.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on August 23, 2022, was served on the parties in this action. (Docs. 4, 5.) Plaintiff objected to the Recommendation. (Doc. 6.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief may be granted, as well as for seeking monetary relief against a defendant who is immune from such relief. The dismissal as to the destruction of property claim is without prejudice to Plaintiff filing a proper complaint, together with the filing fee or an in

forma pauperis application, stating a claim for relief, and the dismissal of the claim involving the state court order is without prejudice to Plaintiff seeking recourse in the state courts.

A Judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder
United States District Judge

September 26, 2022